



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Box PCT
Washington, D.C. 20231

#30
#2

08-392934

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/392,934	SMITH	R PD-3033

5611
SPENSLEY, HORN, JUBAS & LUBITZ,
ATTORNEYS AT LAW
1880 CENTURY PARK EAST, SUITE 500
LOS ANGELES, CALIFORNIA 90067

INTERNATIONAL APPLICATION NO.
PCT/US93/08699

I.A. FILING DATE	PRIORITY DATE
09/15/93	09/15/92

DATE MAILED: 08/29/95

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☒ Information Disclosure Statement(s) filed 02 Mar 95 and _____

☐ Assignment document.

☒ Power of Attorney and /or Change of Address.

☐ Substitute specification filed _____

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document

☐ Other:

2. The following items **MUST** be furnished within the time period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.63 for the reasons indicated on the attached PTO-152.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a) -2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 or ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note a processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice MUST be returned with the response.

Enclosed: ☐ PTO-152 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (May 1993)

Eless Reed
Eless Reed
International Division
Telephone: (703) 305-3659



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#4

08-392934

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/392,934		SMITH	R PD-3033

5611

PCT/US93/08699

SPENSLEY, HORN, JUBAS & LUBITZ
ATTORNEYS AT LAW
1880 CENTURY PARK EAST, SUITE 500
LOS ANGELES, CALIFORNIA 90067

09/15/93 09/15/92

DATE MAILED:
11/28/95

NOTICE OF INFORMAL APPLICATION

(Attachment to Office Action)

This application does not conform with the rules governing applications for the reason(s) checked below. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A. A new oath or declaration, identifying this application by the application number and filing date is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or foreign country of residence of each inventor.
2. ☐ does not identify the citizenship of each inventor.
3. ☐ does not state whether the inventor is a sole or joint inventor.
4. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ believes the named inventor or inventors to be the original and the first inventor or inventors of the subject matter which is claimed and for which a patent is sought.
 - c. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
5. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
6. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation-in-part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).
7. ☐ does not include the date of execution.
8. ☐ does not use permanent ink, or its equivalent in quality, as required under 37 CFR 1.52(a).
9. ☐ contains non-initialed alterations (See 37 CFR 1.52(c)).
10. ☒ Other: *does not include all inventors listed on the international application; the serial number and title of the invention are incorrect*

B. Applicant is required to provide:

1. ☐ A statement signed by applicant giving his or her complete name. A full name must include at least one given name without abbreviation as required by (37 CFR 1.41(a)).
2. ☐ Proof of authority of the legal representative under 37 CFR 1.44.
3. ☐ An abstract in compliance with 37 CFR 1.72(b).
4. ☐ A statement signed by applicant giving his or her complete post office address (37 CFR 1.33(a)).
5. ☐ A copy of the specification written, typed, or printed in permanent ink, or its equivalent in quality as required by 37 CFR 1.52(a).
6. ☐ Other:



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

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BOX PCT

Washington, D.C. 20231

#4

08-392934

US APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

08/392,934

SMITH

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PD-3033

INTERNATIONAL APPLICATION NO.

PCT/US93/08699

I.A. FILING DATE

PRIORITY DATE

09/15/93

09/15/92

DATE MAILED:

11/28/95

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ATTORNEYS AT LAW
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LOS ANGELES, CALIFORNIA 90067

NOTIFICATION OF A DEFECTIVE RESPONSE

1. ☐ The request for an extension of time (37 CFR 1.136 (a)) filed _____ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17 (a)-(d).
2. ☐ Applicant's response filed _____ was received in the Office on _____ which is after the expiration of the period for response set in the last Office notification mailed _____. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136 (a).
3. ☒ Applicant's response filed 03 OCT 95 included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
☐ a non-English language.
☐ English.
- ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation..
- ☐ Processing fee (37 CFR 1.492 (f)) ☐ which is insufficient.
- ☒ Oath or Declaration of inventors(s).
☐ in compliance with 37 CFR 1.63.
☒ not in compliance with 37 CFR 1.63 for the reasons indicated on the attached PTO 152.
- ☒ Surcharge (37 CFR 1.492 (f)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☐ Assignment document.
- ☐ Power of Attorney and /or Change of Address.
- ☐ Substitute specification.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Other: Sequence w/diskett

4. ☒ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 29 AUG 95 have not been completed.

THE PERIOD FOR RESPONSE SET FORTH IN THE NOTIFICATION OF MISSING REQUIREMENTS (FORM PCT/DO/EO/905) ☒ REMAINS IN EFFECT ☐ HAS BEEN EXTENDED TO RUN _____ MONTHS FROM THE DATE OF SAID NOTIFICATION.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Enclosed: ☒ PTO-152 ☐ Notice of Defective Translation

Telephone: (703) 305-3659